PRESERVED

App. F. IX-4

Previous References

1940.
(Legis)

File No. 28-40

Serial Nos. 243

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. two

Part B for June 1941.

SUBJECT.

Mysore Coffee Market Expansion (Emergency) Continuance and Amendments Act 1941

5304840 Amendment of the Mysore Coffee Market Expansion (Emergency)

General and Revenue Secretariat — File No. 107 of 1940. [App. F. III-2

Serial No.

From the Secy to the Resident
No. D.F. 59 (4-CO)/GR(D) (CO) 3/40
Fds. a copy of the British Indian Coffee market Expansion (Amendment) Act and requests an amendment of the Mysore Act.

2) The connected paper relating to the promulgation of the Mysore (Emergency) Act are in the Bo for 1 Subd for orders if the paper may be transferred to the Legislative Secn of the Pol Bo for further action

Pol

3) Yes 18/3

AW 18/3

4) The amendments made by the Emergency Ordinance a
to the following sections of the main Ordinance:-

section of Br.Indian Ordinance	Corresponding section Mysore Emergency Ac
3.	3.
18	9
19	10
20	nil
31	nil
32	nil
48	30.

5) The amendment of section 3 has resulted in
; of the definition of "coffee" so as to inc
oasted coffee and prepared coffee" also.
Sections 18 and 19 (9 and 10 of our Act) ha
bined together. The only change is that sal

Amendments to the Mysore Coffee
cultivation Emergency Powers) Act-

3629

File No. of 1940. | General and Revenue Secretariat

Serial No.

coffee need not be through a curing establishment as heretofore, but it is sufficient if the coffee has been cured in a curing establishment.

7/ The other amendments do not call for any changes in our Act

8/ The Mysore Act is an emergency Act issued on the 20th December 1940 and will expire six months thereafter (19th June 1941). Steps will have to be taken by then to extend its duration till 31st August 1941 which is the date mentioned in the Br. Indian Ordiance.

9/ Whether the amendments now made in Br. India should be incorporated by means of another emergency Act or may be considered when further action in regard to the principal emergency Act is taken, is a matter for the administration section to consider.

Submitted for orders if the file may be returned

Amendments to the Mysore Coffee Market Expansion (Emergency) Act

General and Revenue Secretariat) File No. (U) of 1940. [App. F. III-2

Serial No.

But is export prohibited by State Legislation? There is nothing in the Act or the rules to this effect
The next Amendments may be moved immediately. The extension is ~~xxxx~~ from 29.6.41. Action has to be taken about that also immediately

Ind
21/5/41

15) Though the Mysore Act does not prohibit the transport of coffee from the State, as an abundant caution, the gist of this para 2 of the Residents letter may perhaps be communicated to the Govt. A draft letter is accordingly submitted for consideration.

16) Maybe adopted Not necessary. Ind 21/5/41

16) The amendments suggested to the Mysore Act at paras 5 and 6 may perhaps be made at the time of placing the necessary Ordinances on the Statute.

17) After some of the above steps the file will be sent to the Branch for taking action to extend the operation of the Emergency Act till 31st August 1941

Submitted
Rep 21/5
DEV. 2

SECY. DEV. DEPT. * 21. MAY 1941 * GOVT OF MYSORE

General and Revenue Secretariat

Amendment of the Cotton Control Board 3629
Expansion emergency Act 1940.

File No. 107 of 1941 [App. F. III-2

Serial No.

A draft of the Amendment Act and one of the Act extending the period of its operation by six months from 20th June are put up for the

There is urgency in matter. After approval by Secretary Member a OM with put up.

29/5/41

Joint Member

Hon'ble Law Secy

Hon'ble 29/5/41

3 29/5/41

30/5/41

29/5/41

29/5

[illegible]

MAY [illegible]
No 1247

IND 30-5-41

Ch Secy we forwarding order

Submitted with a circulation Memo.

Re Mysore coffee Market Expansion Act 1940

General and Revenue Secretariat | File No. (17) of 1940. | [App. F. III-2

Serial No.

DFN noted

Kyn 7/6/41

For favour of approval

12/6 Dy

Dy 7

Minister Dan

MM 13/6/41

MM 7 Nos placed below

13/6

S. N. submitted.

MM 15/6/41

15/6

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the Mysore Coffee Market Expansion (Emergency) (Amendment) Act, 1941, for His Highness's gracious sanction.

A. Ma. Ramaswamy

Mysore,
16th June

D E W A N.

Record of Cases submitted for the Orders of

His Highness the Maharaja.

Subject.

Mysore Coffee Market Expansion (Emergency) (Amendment) Act, 1941.

Order.

20/6/'41.

Mysore Coffee Market Expansion Emergency Continuance and amendment Acts

Serial No.

The foregoing assent of His Highness has been accorded on the 20th June 1941 for the issue of the two Emergency Acts

One of them is intended to keep alive the Emergency Act for a further period of six months. The other is intended to effect some amendments. As the original Emergency Act has expired by effluxion of time, it would appear that the Continuance Act will have to be promulgated first before making any amendment. It would therefore be desirable perhaps to issue the two Acts separately instead of incorporating them into one measure.

Two draft Govts directing publication of the Acts as Acts XI of XII of 1941 are put up.

If approved they will be issued as a Gazette Extraordinary today alone.

30/6/41 A small addition to Act XII is also suggested to indicate that the amendments are to the Emergency Act as Continued by Act XI of 1941.

Law Secy)

'A' May be done

Minister)
Law)

two Acts have been published as Acts XI and XII
9.41 in a Gazette Extraordinary yesterday
If agreed the file will be sent to the I.R.C Branch
taking further action and returning the file
& being recorded in the Legis Section.

Yes BXR
1.7.41

to pursue action

Council Section
CB

& return of the file

WCT
1/7/41

IRC Br for Kins
note and return the
file
Noted + ret'd.
BXR
7.7.41 Mrs
Brown
7/7/41

A Rec

Please put a copy of this
file register & record
and please give the file to
me for further action
required

100/p/41

C675

neral and Revenue

Secretariat.

SUBJECT:—

Mysore Coffee Market Expansion (Emergency) (Amendment) Act 1941.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orbers before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

Development Department. WD 24/6/41

13046/26/6/41 Minister for Finance and Revenue. Rec 29.6 XXX

13107/25.6.41 Minister for Law. 26-6-41 Law Secy W/C) Further new Act & rehm WD 30/6/41 BSR 30.6.41

417/1.7.41 Minister for Education. 2.7.41

53/2.7.41 Minister for Local Self-Govt. and Public Health. 3.7.41

WD 2201—GPB—100—5-6-41

3.7.41

3/7

ORDINANCE No. I OF 1941.

AN

ORDINANCE

to amend the Coffee Market Expansion Ordin

WHEREAS an emergency has arisen whic
necessary to amend the Coffee Market Expa
XIII of 1940. nance, 1940, for the purposes hereinafter ap

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act,
26 Geo. 5, c. 2. 1935, the Governor General is pleased to make and promulgate the following Ordinance :—

1. (*1*) This Ordinance may be called the Coffee Market Expansion (Amendment) Ordinance, 1941.

(*2*) It shall come into force at once.

2. In clause (*b*) of section 3 of the Coffee Market
XIII of 1940. Expansion Ordinance, 1940 (hereinafter referred to as the said Ordinance), for the words " and uncured coffee " the words ", uncured coffee, roasted coffee and prepared coffee " shall be substituted.

3. For section 18 of the said Ordinance the following section shall be substituted, namely :—

" 18. No registered owner shall sell coffee unless either—

(*a*) it has been cured at or is delivered to the buyer through a curing establishment licensed under section 28, or

(*b*) it is sold under and in accordance with the provisions of a licence procured from the Board under section 24.".

4. Section 19 of the said Ordinance shall be omitted.

5. In section 20 of the said Ordinance, for the words and figures " otherwise than by or under the authority of the Board in pursuance of its functions under section 26 " the words " otherwise than by the Board or under an authorisation granted by the Board in the prescribed manner and in the prescribed cases " shall be substituted, and to the section as so amended the following further proviso shall be added, namely :—

" Provided further that the Central Government may exempt from the operation of this section, either absolutely or subject to conditions, the export of coffee from British India to an Indian State, or to any foreign settlement bounded by India."

6. In sub-section (*2*) of section 31 of the said Ordinance, the words " and the costs of storing and marketing coffee deposited in and of administering the surplus pool " shall be omitted.

7. For clause (*b*) of sub-section (*2*) of section 32 of the said Ordinance the following clause shall be substituted, namely :—

" (*b*) the costs of storing, curing and marketing coffee deposited in and of administering the surplus pool ;"

8. In sub-section (*1*) of section 48 of the said Ordinance the words " after consulting the Board " shall be omitted.

LINLITHGOW,
Viceroy and Governor General.

ORDINANCE No. I OF 1941.

AN

ORDINANCE

to amend the Coffee Market Expansion Ordinance, 1940

WHEREAS an emergency has arisen which makes it necessary to amend the Coffee Market Expansion Ordinance, 1940, for the purposes hereinafter appearing;

III of 1940.

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance:—

Geo. 5, c. 2.

1. (*1*) This Ordinance may be called the Coffee Market Expansion (Amendment) Ordinance, 1941.

(*2*) It shall come into force at once.

2. In clause (*b*) of section 3 of the Coffee Market Expansion Ordinance, 1940 (hereinafter referred to as the said Ordinance), for the words "and uncured coffee" the words ", uncured coffee, roasted coffee and prepared coffee" shall be substituted.

III of 1940.

3. For section 18 of the said Ordinance the following section shall be substituted, namely:—

"18. No registered owner shall sell coffee unless either—

(*a*) it has been cured at or is delivered to the buyer through a curing establishment licensed under section 28, or

(*b*) it is sold under and in accordance with the provisions of a licence procured from the Board under section 24.".

4. Section 19 of the said Ordinance shall be omitted.

5. In section 20 of the said Ordinance, for the words and figures "otherwise than by or under the authority of the Board in pursuance of its functions under section 26" the words "otherwise than by the Board or under an authorisation granted by the Board in the prescribed manner and in the prescribed cases" shall be substituted, and to the section as so amended the following further proviso shall be added, namely:—

"Provided further that the Central Government may exempt from the operation of this section, either absolutely or subject to conditions, the export of coffee from British India to an Indian State, or to any foreign settlement bounded by India."

6. In sub-section (*2*) of section 31 of the said Ordinance, the words "and the costs of storing and marketing coffee deposited in and of administering the surplus pool" shall be omitted.

7. For clause (*b*) of sub-section (*2*) of section 32 of the said Ordinance the following clause shall be substituted, namely:—

"(*b*) the costs of storing, curing and marketing coffee deposited in and of administering the surplus pool;".

8. In sub-section (*1*) of section 48 of the said Ordinance the words "after consulting the Board" shall be omitted.

LINLITHGOW,
Viceroy and Governor General

Appendix F G—11

SUBJECT.....

.....

.....

Section DXC

File No. (07)—110

Serial No.

Diary No. of letter replied to.....

No. Pol. 2030

To

The Secretary to the Resident

Sir,

Subj: Coffee market Expansion Ordinance, 1940.

With refee to sub sec. (4) of Sec. 1 of the Coffee Market Expansion Ordinance No. XIII of 1940, I am directed to request you kindly to ascertain and intimate if the ordinance is proposed to be continued after 31-8-1941.

I have etc

for Secretary

General and Revenue Secretariat

( )

the *19*

Date of issue.....

Signed by .....

List of enclosures.....

Copied by .....

Examined by .....

WD 086—GPB—40,000—30-7-40

Rs 20/-

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSOR

General and Revenue Secretariat.

No. Pol. 2030

Bangalore, Dated 27th May 1941.

FROM

The *Secretary to the Government of His Highness the Maharaja of Mysore.*
Development Department.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

Subject:- Coffee Market Expansion Ordinance, 1940.

With reference to sub section (4) of Section 1 of the Coffee Market Expansion Ordinance No.XIII of 1940, I am directed to request you kindly to ascertain and intimate if the Ordinance is proposed to be continued after 31st August 1941.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary to Government,
Development Department.

Regd. No. M.—1175.

The Mysore Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

BANGALORE, SATURDAY, DECEMBER 21, 1940.

PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

Order No. P. 3190—Legis. 28-40-1, dated Bangalore, the 21st December 1940.

Ordered that the accompanying Emergency Act to provide for assistance to the coffee industry by regulating the export of coffee from and the sale of coffee in Mysore and by other means which received the assent of His Highness the Maharaja on the 20th day of December 1940, be published as Act No. XXVIII of 1940, in the *Mysore Gazette* for general information.

By Order,

B. T. KESAVIENGAR,

Chief Secretary to Government.

ACT No. XXVIII OF 1940.

THE MYSORE COFFEE MARKET EXPANSION (EMERGENCY) ACT, 1940.

(An Act to provide for assistance to the coffee industry by regulating the export of coffee from and the sale of coffee in Mysore and by other means.)

(Received the assent of His Highness the Maharaja on the twentieth day of December 1940).

WHEREAS the Coffee Market Expansion Ordinance, 1940, has been made and promulgated in British India to provide for assistance to the coffee industry by regulating the export of coffee from and the sale of coffee in British India, and by other means;

AND WHEREAS it is necessary to make similar provision in Mysore for assistance to the coffee industry

NOW THEREFORE in exercise of the powers conferre section 12 of the Mysore Legislative Council Act, 192

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore C Market Expansion (Emergency) Act, 1940.

(2) It extends to the whole of Myso

(3) It shall come into force on such date a Government may, by notification in the official Gaz appoint.

2. In this Act, unless there is anything repug in the subject or context,—

(*a*) "the Board" means the Indian Coffee M Expansion Board constituted by the Government of I under the Ordinance

(*b*) "Coffee" means the commodity derived the fruit of the rubiaceous plant known by that name includes raw coffee, cured coffee and uncured coffee;

(*c*) "controller of coffee" means the controll coffee appointed under the Ordinance;

(*d*) "curing" means the application to raw or mechanical processes other than pulping for th pose of preparing it for marketing;

(*e*) "curing establishment" means any p which raw coffee is sent by a registered owner for

and includes any estate which the Board may declare to be a curing establishment for the purposes of this Act;

(*f*) "estate" means an area administered as one unit which contains land planted with coffee plants;

(*g*) "internal sale quota" means that portion stated in terms of bulk or weight, of the whole of the coffee produced by an estate in the year which a registered estate is permitted to sell in the Indian market;

(*h*) "Ordinance" means the Coffee Market Expansion Ordinance, 1940, of the Government of India;

(*i*) "prescribed" means prescribed by rules made under this Act;

(*j*) "registered estate" means an estate in respect of which an owner is registered under sub-section (1) of section 5, or under sub-section (1) of section 14 of the Ordinance, or under any law or rule having the force of law of an Indian State; and includes also any estate in respect of which an owner is required to be registered under the provisions abovementioned;

(*k*) "registered owner" means an owner of a registered estate who has been or is required to be registered under sub-section (1) of section 5;

(*l*) "surplus pool" means the stock of coffee accumulated by the Board out of the amounts delivered to the Board under section 14.

(*m*) "year" means the period of twelve months beginning on the 1st day of July 1940, and ending on the 30th day of June 1941:

Provided that the Government may, by notification in the official Gazette, declare that the year for the purposes of any section of this Act which may be specified in the notification shall be fourteen months ending on the 31st day of August 1941.

3. A duty of excise shall be levied at such rate not exceeding one rupee per hundredweight as may be fixed by the Government, on the recommendation of the Board, by notification in the official Gazette on all coffee, except coffee sold and delivered before the commencement of this Act, which a registered estate is permitted by the internal sale quota allotted to it to sell in the Indian market, whether such coffee is actually sold or not, and on all coffee released for sale in India by the Board from the surplus pool.

4. (1) The proceeds of the duty of excise levied under section 3 shall be paid to the Board for credit to the general fund of the Board.

(2) The duty of excise on coffee shall be payble by the registered owner of the estate producing the coffee and shall be realised by the Board by the deduction of the amount of the duty payable by such owner from any sum due to him on account of sales from the surplus pool It shall be a first charge on such sum, and shall, if not capable of realisation by deduction as aforesaid, be paid to the Board by the registered owner within one month of demand by the Board or thereafter be recoverable from him as an arrear of land revenue.

(3) The Board shall have power to adjudge by bulk the number of hundredweights contained in any quantity of uncured coffee.

(4) No action of the Board under this section shall be called in question by any Court

5. (1) Every person owning land planted with coffee plants aggregating not less than 25 acres whether such land is comprised in one estate or in more than one estate shall, before the expiration of one month from the commencement of this Act, or before the expiration of one month from the date on which, after the commencement of this Act, he first becomes subject to the provisions of this sub-section, apply to the registering officer appointed in this behalf by the Government to be registered as an owner and in respect of each estate owned by him:

Provided that where the estate or estates in question are situated partly in Mysore and partly in another Indian State or States, the application shall be made to the registering officer appointed by any State.

(2) A registration once made shall continue in force until it is cancelled by the registering officer.

(3) If any question arises whether an owner of an estate is or is not required to be registered under this section, the question shall be decided by the Controller of Coffee.

6. (1) The Government may, by notification in the official Gazette, make rules to carry into effect the provisions of section 5.

(2) Without prejudice to the generality of the foregoing power, such rules may prescribe the form of the

application for registration and for cancellation of registration, the fee payable on such applications, the particulars to be included in such applications, the procedure to be followed in granting and cancelling registration, the registers to be kept by registering officers, and the supply by registering officers of information to the Board.

Maximum prices for sale of coffee wholesale.

7. (1) The Government may, after consultation with the Board, by notification in the official Gazette fix the maximum price or prices at which coffee may be sold wholesale in the Indian market.

(2) No registered owner or licensed curer shall sell coffee wholesale in the Indian market at a price exceeding the maximum fixed under this section.

Sale of coffee in excess of internal sale quota.

8. (1) No registered owner shall, after the commencement of this Act, sell or contract to sell in the Indian market coffee from any registered estate if by such sale the internal sale quota allotted to that estate is exceeded:

Provided that nothing in this section shall apply to coffee sold from a registered estate in excess of the internal sale quota if such sale was in pursuance of a contract of sale entered into before the 3rd day of December 1940, and if after the commencement of this Act no coffee has been sold from that estate in the Indian market except in pursuance of a contract of sale entered into before the 3rd day of December 1940.

Sale of uncured coffee.

9. No registered owner shall sell uncured coffee (including pounded coffee) direct from an estate except under and in accordance with the provisions of a licence procured from the Government under section 13.

Sale of cured coffee.

10. No registered owner shall sell cured coffee (including pounded coffee) otherwise than through a curing establishment licensed under section 16.

Internal sale quota.

11. (1) The Government shall, as soon as may be after the commencement of this Act, allot to each registered estate an internal sale quota for the year.

(2) The internal sale quota shall be a fixed percentage common to all registered estates, of the probable total production of the estate in the year as estimated by the Board.

(3) The Government may at any time vary the internal quota by varying the fixed percentage common to

(*) Substitute the following for Secs. 9 & 10 as seen
No registered owner shall sell coffee unless either
(a) it has been cured at or is delivered to the buyer through a curing establishment licensed under Sec. 16,
(b) it is sold under and in accordance with the provisions of a license procured from the Govt. under Sec. 13.

all registered estates, or may express the whole or any part of the internal sale quota of an estate in terms of bulk instead of in terms of weight.

12. (1) A registered owner shall furnish to the Board at the prescribed times and in the prescribed manner such returns as may be prescribed.

(2) If any registered owner fails to furnish the returns required under sub-section (1) in respect of any estate, the Government may refuse to allot an internal sale quota to that estate, or, where an internal sale quota has already been allotted, may cancel it.

(3) The Government may authorise an officer to visit any estate at any time to verify the accuracy of any return made under this section or to ascertain the productive capacity of the estate

13. The registered owner of any estate may, subject to the prescribed conditions and so long as the internal sale quota allotted to that estate will not be exceeded by the proposed sale, obtain from the Government a licence for the sale from that estate of uncured coffee.

14. (1) All coffee produced by a registered estate in excess of the amount specified in the internal sale quota allotted to that estate shall be delivered to the Board for inclusion in the surplus pool by the owner of the estate or by the curing establishment receiving the coffee from the estate.

(2) Delivery shall be made to the Board in such places and in such manner as the Board may direct, and such directions may provide for partial delivery to the surplus pool at any time whether or not at that time the internal sale quota has been exceeded, and the coffee delivered shall, unless the Board otherwise directs in the case of coffee already in curing establishments at the commencement of this Act, be such as to represent fairly in kind and quality the produce of the estate. The Board may reject any consignment offered for delivery which does not satisfy this requirement, but shall not reject any consignment merely for a defect in curing.

(3) Coffee delivered for inclusion in the surplus pool shall upon delivery to the Board remain under the control of the Board which shall be responsible for storage, curing where necessary, and marketing of the coffee.

(4) The Board shall prepare a differential scale for the valuation of coffee, and shall in accordance with that scale classify the coffee in each consignment delivered for inclusion in the surplus pool according to its kind and quality, and shall make an assessment of its value based on its quantity, kind and quality.

(5) The Board may, with the consent of a registered owner, before an internal sale quota has been allotted to an estate, treat as having been delivered for inclusion in the surplus pool any coffee from such estate which the registered owner may agree to have so treated.

15. No registered owner shall cause or allow coffee to be cured elsewhere than in a licensed curing establishment, whether the curing establishment is maintained by himself or by another person.

16. Every establishment for curing coffee shall obtain from the Government a licence to operate as such.

17. (i) A registered owner when sending coffee to a curing establishment shall report to the Government, separately for each estate from which coffee is sent, the amount of coffee sent; and the curing establishment shall, in accordance with such instructions as may be issued by the Government and having regard to the internal sale quota of the estate, apportion each such consignment into two parts, one part consisting of coffee intended for internal sale and one part of coffee intended to be delivered for inclusion in the surplus pool and shall report to the Government the amount of coffee in each such part.

(2) Every curing establishment shall, so far as may be, comply with the provisions of sub-section (1) in respect of all coffee in the establishment at the commencement of this Act.

(3) A registered owner curing coffee in a curing establishment maintained by himself shall supply to the Government the information specified in sub-section (1).

(4) A curing establishment which buys or receives uncured coffee from any person shall ascertain the estate on which the coffee was produced and shall report to the Government the quantity of coffee so obtained and the estate or estates from which it came.

(5) Every curing establishment shall maintain accounts in such forms as may be required by the Government and such accounts shall be open to inspection at any

time by the Government or by an officer authorised i this behalf by the Government.

18. The registered owner of an estate in Mysor shall be paid from the pool fund maintained under th Ordinance, payments for coffee delivered by him fc inclusion in the surplus pool which he would be entitle to receive under the Ordinance if such estate had bee situated in British India.

19. Any owner of a coffee estate who fails to apply for registration in accordance with section 5 shall be punishable with fine which may extend to one thousand rupees and to a further fine which may extend to five hundred rupees for each month after the first during which such failure continues

20. Any registered owner who sells coffee in contravention of section 7 or section 8 or section 9 or section 10 shall be punishable with fine which may extend to one thousand rupees, and the Board may thereafter deduct from any payment to be made under section 19 to such registered owner a sum equal to the value as estimated by the Board of the coffee unlawfully sold.

21. If any curing establishment operates as such without a licence, the owner shall be punishable with fine which may extend to five hundred rupees.

22. Any person who makes in any return to be furnished under section 12 or in any report to be made under section 17 any statement which is false and which he knows to be false or does not believe to be true shall be punishable with fine which may extend to one thousand rupees.

23. Whoever obstructs any member or officer of th Government or the Board or any person authorised by th Government or the Board, in the discharge of any dut imposed on or entrusted to him under this act, or who having control over or custody of any records, fails t produce such records when required to do so by a membe or officer of the Board or by a person authorised by th Government or the Board to inspect such records, shall b punishable with fine which may extend to one thousan rupees.

24. (1) No Court other than the Court of a Magis trate of the First Class shall take cognizance of any offenc punishable under this Act.

(2) No Court shall take cognizance of an offence, punishable under section 19, except on complaint made by an officer authorised in this behalf by the Government or of an offence punishable under any other section except on complaint made with the previous sanction of the Government by an officer authorised in this behalf by the Board.

Power of Board to determine amount of coffee sold by an estate.

25. The Board shall have power to determine, after such inquiry as it thinks fit, the amount of coffee which has at the commencement of this Act been sold, or been sold and delivered in the year by any registered estate, and the amount so determined shall be conclusive for the purpose of section 8.

Appeals to the Government.

26. (1) Any person aggrieved by an order of the Board refusing a licence to, or cancelling a licence of, a curing establishment may, within sixty days of the making of the order, appeal to the Government.

(2) Any person making an appeal under this section shall pay a fee of five rupees.

Inspection of records.

27. Any member of the Board, and any officer of the Board or other person authorised in this behalf by the Government or the Board, may enter any registered estate or any curing establishment and may require the production for his inspection of any records kept therein.

Inspection of records of the Board and obtaining of copies.

28. Any registered owner to whom an internal sale quota is allotted may, subject to the prescribed conditions, inspect the records maintained by the Board and may on payment of the prescribed fee obtain copies of any proceedings or orders of the Board.

Contracts.

29. Nothing in this Act shall apply to or affect any contract for the sale of coffee entered into before the 3rd day of December 1940, if before the expiration of twenty-one days from the commencement of this Act the owner of the coffee estate or the exporter who has effected the contract has furnished to the Government particulars of such contract; but all contracts made on or after the said date shall on the commencement of this Act, in so far as they are at variance with the provisions of this Act, be void:

Provided that the Board may by order relax the provisions of this section in their application to any individual contract.

Power to make rules.

30. The Government may by notification in the official Gazette, make rules to carry out the purposes of this Act.

Power of delegation.

31. The Government may, delegate all or any of the powers conferred on it by any of the provisions of this Act to the Board or to the Controller of coffee.

MIRZA M. ISMAIL,
Dewan.

No. P. 3191—*Legis.* 28-40-2, *dated Bangalore, the 21st December* 1940.

In exercise of the powers conferred by sub-section (3) of section 1 of the Mysore Coffee Market Expansion (Emergency) Act, 1940, the Government of His Highness the Maharaja are pleased to direct that the said Act shall come into force on and from the 21st December 1940.

No. P. 3192—*Legis.* 28-40-3, *dated Bangalore, the 21st December* 1940.

In exercise of the powers conferred on them by the Mysore Coffee Market Expansion (Emergency) Act, 1940, the Government of His Highness the Maharaja are pleased to appoint the Deputy Commissioners of Districts to be Registering Officers within their respective districts.

No. P. 3193—*Legis.* 28-40-4, *dated Bangalore, the 21st December* 1940.

In exercise of the powers conferred by section 31 of the Mysore Coffee Market Expansion (Emergency) Act, 1940, the Government of His Highness the Maharaja are pleased to delegate to the Indian Coffee Market Expansion Board all the powers exercisable under sections 7, 11, 12, 13, 16 and 17 of the said Act.

No. P. 3194—*Legis.* 28-40-5, *dated Bangalore, the* 21*st December* 1940.

The Mysore Coffee Estate-owners Registration Rules, 1940.

In exercise of the powers conferred by section 6 of the Mysore Coffee Market Expansion (Emergency) Act, 1940, the Government of His Highness the Maharaja are pleased to make the following rules, namely :—

1. (1) These rules may be called the Mysore Coffee Estate-owners Registration Rules, 1940.

(2) They extend to the whole of Mysore.

2. In these rules,—

(i) "Form" means a form appended to these rules;

(ii) 'Act' means the Mysore Coffee Market Expansion (Emergency) Act, 1940;

(iii) "Registering Officer" means a Registering Officer appointed by the Government under sub-section (1) of section 5 of the Act.

3. An application for registration under section 5 of the Act shall be made to the Registering Officer in Form A and shall be accompanied by a fee of rupee one in respect of each estate owned by the applicant.

4. An application for registration shall not be granted by the Registering Officer if he is satisfied that the area under coffee in the applicant's estate or estates is less than 25 acres, and for this purpose he may call for such additional information as he thinks fit from the applicant.

5. If an application for registration is granted, the Registering Officer shall issue a certificate of registration in Form B.

6. (1) A registration may be cancelled by the Registering Officer on application made by a registered owner on the ground that the area under coffee in the registered estate or estates has fallen below 25 acres or that he has ceased to be the owner of the registered estate or estates.

(2) Every application under sub-rule (1) shall be accompanied by a fee of rupee one.

7. A registered owner shall, in the event of any of his estates being sold or otherwise transferred, intimate

to the Registering Officer the particulars of the est sold or transferred.

8. The Registering Officer shall maintain a regi of registered owners and a register of registered esta and shall forward to the Board, from time to ti certified copies of all entries in those registers.

By Order,

E. NORONHA,

Secretary to Government,
Development Departm

APPENDIX.

FORM A. (*Rule* 3.)

Form of application for registration under section 5 of the Mysore Coffee Market Expansion (Emergency) Act, 1940.

Name of owner..... Address of owner.....

....

Total area of estates owned. (*Vide* Schedules A and B below).....

Whether Application made to any other Registering Officer (particulars to be given).....

Schedule A — Estates in Mysore

Name of estate	District	Village	Survey No.	Area in acres
		Total ...		

Schedule B — Estates outside Mysore

Name of estate	District	Village	Survey No.	Area in acres
		Total		

To

....

Registering Officer under section 5 of the Mysore Coffee Market Expansion (Emergency) Act, 1940,

..... District.

Signature of Applicant.

FORM B.

(*Rule 5.*)

Certificate of Registration of a registered owner.

(Section 5 of the Mysore Coffee Market Expansion (Emergency) Act, 1940.)

No.

Mr. .... of (address)..... .... has been registered as the registered owner of coffee estates mentioned in the schedule below under section 5 of the Mysore Coffee Market Expansion (Emergency) Act, 1940.

Seal.

Place .... } Signature ...

Dated ..... 194 (Registe

SCHEDULE A : Estates in Mysore :—

Name of estate

District

Village

Survey No.

Area

SCHEDULE B : Estates outside Mysore :—

Name of estate

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Le
File No. 28
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

No. of letter replied to.....

Order No.....

GENERAL AND REVENUE SECRETARIAT,

( )

, the.....*191*

Ordered that the accompanying Draft Mysore Cattle Market Bye (Emergency Ordinance) Act which received the assent of His Highness the Maharaja, on the 20th day of June 1941, be published as ~~Regulation~~ Emergency Act No. XI of 1941, in the *Mysore Gazette* for general information.

Date of issue.....

Signed by.....

Hm
2
30/6/41.

Secretary to Government.
For Law Dept
BKP
30.6.41

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part IV of ~~the~~ a Gazette, 2 Extraordinary to issue today in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Spare Copies as per Standing Orders

Copy to Inspection Sahi

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legis
File No. 28 - 4
Serial No. 3

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

...e.....191

Date of issue.....

Signed by.....

Proceedings of the Government of
H. H. the Maharaja of Mysore.

Order No.....

Ordered that the accompanying Emergency
to amend the Mysore Coffee market
Expansion (Emergency) Act 1941,

which received the assent of His Highness the Maharaja, on the 20th day of June 1941, be published as ~~Regulation~~ Act No. XII of 1941, in the *Mysore Gazette* for general information.

Hm
2
30/6/41.
Law Secretary to Government

WKR
30.6.41

To

The Compiler, *Mysore Gazette*, for publication in Part IV of ~~the~~ a Gazette, extraordinary in English and Kannada and for supply of 5 .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

THE MYSORE COFFEE MARKET EXPANSION (Emergency) (Amendment) Act, 1940.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Mysore Coffee Market Expansion (Emergency) Act, 1940, continued by the Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941 (Act XI of 1941),

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:-

Short tile commencement.

1 (1) This Act may be called the Mysore Coffee Market Expansion (Emergency)(Amendment) Act, 194 .

(2) It shall come into force at once.

Amendment of section 2 Act XXVIII of 1940.

2. In clause (b) of section 2 of the Mysore Coffee Market Expansion (Emergency) Act, 1940 (continued by the Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941 (Act XI of 1941)) (hereinafter referred to as the said Act), for the words, "and uncured coffee" the words, "uncured coffee, roasted coffee and prepared coffee" shall be substituted.

Amendment of section 9 Act XXVIII of 1940.

3. For section 9 of the said Act, the following section shall be substituted, namely:-

Sale of coffee how made.

"9. No registered owner shall sell coffee unless either--

(a) it has been cured at or is delivered to the buyer through a Curing Establishment licensed under section 16, or

(b) it is sold under and in accordance with the provisions of a licence procured from the Government under section 13."

Omission of section 10, Act, XXVIII of

4. Section 10 of the said Act shall be omitted.

THE MYSORE COFFEE MARKET EXPANSION (Emergency Continuance) Act, 194

WHEREAS the Mysore Coffee Market Expansion (Emergency) Act, 194o. (XXVIII of 1940) was promulgated on the 20th day of December 1940 and will expire six months thereafter;

AND WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render ~~under~~ it necessary to take immediate action to extend its duration for a further period of six months;

NOW THEREFORE ~~xxxxxx~~ in exercise of the powers conferred by clause (a) of sub-section (2) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940):

It is hereby enacted as follows:-

Short title.

1. This Act may be called the Mysore Coffee Market Expansion (Emergency Continuance) Act, 194

Continuance of Act XXVIII of 1940.

2. The Mysore Coffee Market Expansion (Emergency) Act, 1940, (XXVIII of 1940) is hereby extended for a further period of 6 months after the expiry of 6 months from its promulgation.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

R D E R / No.P. 6637- Leg: 28-40-2

Dated, Bangalore, the 30th June 1941.

Ordered that the accompanying Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941 which received the assent of His Highness the Maharaja, on the 20th day of June 1941, be published as Emergency Act No.XI of 1941, in the Mysore Gazette for general information.

30/6/41.

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in Part IV of a Gazette extraordinary to issue today in English and Kannad and for supply of spare copies as per Standing Orders.

ACT NO. XI OF 1941.

The Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941.

(Received the assent of His Highness the Maharaja on the 20th day of June 1941.)

WHEREAS the Mysore Coffee Market Expansion(Emergency) Act, 1940 (XXVIII of 1940) was promulgated on the 20th day of December 1940 and will expire six months thereafter;

AND WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend its duration for a further period of six months;

NOW THEREFORE in exercise of the powers conferred by clause (a) of sub-section (2) of section 31 the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:-

1. This Act may be called the Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941.

2. The Mysore Coffee Market Expansion (Emergency) Act, 1940 (XXVIII of 1940) is hereby extended for a further period of 6 months after the expiry of 6 months from its promulgation.

Sd/- N. MADHAVA RAU.
Dewan.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

O R D E R No.P. 6638/Legis 28-40-3

Dated, Bangalore, the 30th June 1941.

Ordered that the accompanying Emergency Act t amend the Mysore Coffee Market Expansion (Emergency) Act, 1941 which received the assent of His Highness the Maharaja, on the 20th day of June 1941, be published as Act No.XII of 1941, in the Mysore Gazette for general information.

30/6/41

Secretary to Governm
Law Departmen

To--The Compiler, Mysore Gazette, for publication in Part IV of a Gazette, extraordinary to issue today in Englis and Kannada and for supply of spare copies as per Standing Orders.

No.D.F.594-40/G&A.

Pol 3&18

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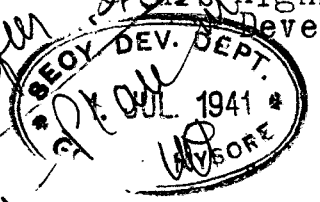
THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Governmentof
His Highness the Maharaja of Mysore,
Development Department, Bangalore.



Dated Bangalore, the 30th June *1941*.

COFFEE MARKET EXPANSION ORDINANCE, 1940.

SIR,

I am directed to refer to your letter No.Pol. 2030/I&C 107-40, dated the 27th May 1941, and to say that the question of the continuance of the Coffee Market Expansion Ordinance, 1940 is under the consideration of the Government of India and a further communication on the subject will be sent to you in due course.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.